

May. 8. 2007 4:38PM

RECEIVED  
CENTRAL FAX CENTER

No. 0359 P. 1

MAY 08 2007

400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343 - Telephone  
(516) 742-4366 - Facsimile  
Email: [interop@ssmp.com](mailto:interop@ssmp.com)

**SCULLY, SCOTT, MURPHY  
& PRESSER, P.C.**

# Fax

**To:** Examiner Michael F. Peffley  
Art Unit: 3739

**From:** Thomas Spinelli, Esq.  
Registration No.: 39,533

**Fax:** 571-273-8300

**Pages:** 11

**Phone:** 571-272-4770

**Date:** May 8, 2007

**Re:** USSN: 10/815,424  
Our Docket: 17585

**CC:**

## RESPONSE TO FINAL OFFICE ACTION

The following is being filed with the U.S. Patent and Trademark Office via facsimile on May 8, 2007:

1. Response Under 37 C.F.R. § 1.116 W/Transmittal in Duplicate
2. Certificate of Transmission Under 37 CFR 1.8

Applicants: Elji Murakami, et al.  
Serial No.: 10/815,424  
For: ULTRASONIC TREATMENT APPARATUS  
Filed: April 1, 2004  
Docket: 17585  
Dated: May 8, 2007  
TS:cm

**CONFIDENTIALITY:** The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Christine Mogenis.

May. 8. 2007 4:38PM

RECEIVED  
CENTRAL FAX CENTER

No. 0359 P. 2

MAY 08 2007

Doc Code:

PTO/SB/97 (09-06)

Approved for use through 03/31/2007. OMB 0831-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the  
United States Patent and Trademark Office

on May 8, 2007  
Date

  
\_\_\_\_\_  
Signature

Thomas Spinelli  
\_\_\_\_\_  
Typed or printed name of person signing Certificate

39,533 516-742-4343  
Registration Number, if applicable Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

May. 8. 2007 4:38PM

RECEIVED  
CENTRAL FAX CENTER

No. 0359 P. 4

MAY 08 2007

Doc Code:

PTO/SB/97 (09-08)

Approved for use through 03/31/2007. OMB 0661-0031


U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the  
United States Patent and Trademark Office

on May 8, 2007  
Date



Signature

Thomas Spinelli

Typed or printed name of person signing Certificate

39,533  
Registration Number, if applicable

516-742-4343  
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

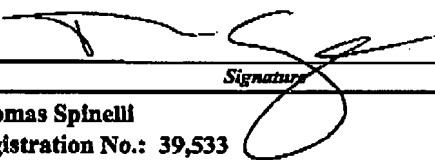
This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

May. 8. 2007 4:38PM

MAY 08 2007

No. 0359 P. 5

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>17585</b>	
Applicant(s): <b>Eiji Murakami, et al.</b>					
Application No. <b>10/815,424</b>	Filing Date <b>April 1, 2004</b>	Examiner <b>Michael F. Peffley</b>	Customer No. <b>23389</b>	Group Art Unit <b>3739</b>	Confirmation No. <b>7730</b>
Invention: <b>ULTRASONIC TREATMENT APPARATUS</b>					
<b><u>COMMISSIONER FOR PATENTS:</u></b>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	6 -	20 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>19-1013/SSMP</b> <input type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.					
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 _____ Signature <b>Thomas Spinelli</b> Registration No.: 39,533			Dated: <b>May 8, 2007</b>		
cc:			<div style="border: 1px solid black; padding: 5px;"> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a)) on _____</p> <p style="text-align: center;">(Date)</p> <p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p> <p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</p> </div>		

May. 8. 2007 4:38PM

RECEIVED  
CENTRAL FAX CENTER

No. 0359 P. 6

MAY 08 2007

**RESPONSE UNDER 37 C.F.R.  
§ 1.116 EXPEDITED PROCEDURE  
EXAMINING GROUP 3739**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant(s):</b>	Eiji Murakami, et al.	<b>Examiner:</b>	Michael F. Peffley
<b>Serial No:</b>	10/815,424	<b>Art Unit:</b>	3739
<b>Filed:</b>	April 1, 2004	<b>Docket:</b>	17585
<b>For:</b>	ULTRASONIC TREATMENT APPARATUS	<b>Dated:</b>	May 8, 2007
<b>Conf. No.:</b>	7730		

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 C.F.R. § 1.116**

Sir:

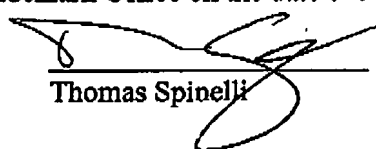
In response to the Final Official Action dated February 8, 2007, Applicants respectfully request reconsideration of the above-identified application in light of the following amendments and remarks:

---

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to facsimile number 571-273-8300 at the U.S. Patent and Trademark Office on the date shown below.

Dated: May 8, 2007

  
Thomas Spinelli

g:\olympus\1710\17585\amend\17585.am3